

REMARKS

Upon entry of the present amendments, claims 6-10, 14-17, and 27-29 will be pending in the present application, claims 11-13, 18-20, 25 and 26 having been canceled. Applicants have amended claim 6 to replace the word "the" with the word "a," and to capitalize the word "Zinc." These amendments do not alter the substance of the claims. No new matter has been added.

Information Disclosure Statement

Applicants hereby renew their request that the Examiner provide fully initialed copies of the Forms PTO-1449 submitted with information disclosure statements on May 7, 2003 and March 7, 2002, indicating that she has considered references AB (WO 92/05286) and AF (JP 60-149520) listed respectively thereon, or indicate why those references were not considered. Copies of the partially-initialed forms PTO 1449 and copies of the two references themselves, including the translated abstract for JP 60-149520, are enclosed herewith for the Examiner's convenience.

Objections to the Claims

Dependent claims 11-13 were objected to at pages 2-3 of the Office Action as being "of improper dependent form for failing to further limit the subject matter of a previous claim." Applicants have cancelled claims 11-13, rendering the objection moot.

Claim 6 was objected to for failing to capitalize the word "Zinc" in the term "Zinc finger." Applicants have amended claim 6 to correct this informality.

In light of these amendments, Applicants request withdrawal of the objections to the claims.

Claim Rejections under 35 U.S.C. 112, Second Paragraph

At page 3 of the Office Action, claims 18-20, 25, and 26 were rejected as being allegedly incomplete. In addition, claim 26 was rejected at pages 4-5 for being allegedly indefinite for reciting the phrase "potential cellular anti-proliferative activity." While Applicants do not concede that these claims do not satisfy the requirements of 35 U.S.C. 112, Applicants have

cancelled claims 18-20, 25, and 26, to further prosecution, and submit that this renders moot the rejections thereof.

Claim 29 was rejected at page 4 as being allegedly indefinite, as claim 29 recited “at least part of a Zinc finger region,” while claim 6, from which claim 29 depends, recited “at least part of the Zinc finger region.” Applicants have amended claim 6 to recite “at least part of a Zinc finger region,” and submit that this cures the alleged indefiniteness. One of skill in the art would appreciate that the three regions cited in claim 29 are examples of Zinc finger regions, each of which falls within the scope of the phrase “a Zinc finger region of Sp3” as recited in amended claim 6.

For at least these reasons, Applicants submit that the pending claims satisfy the requirements of 35 U.S.C. 112, second paragraph, and request withdrawal of the rejections thereunder.

Claim Rejections under 35 U.S.C. 112, First Paragraph

Claim 26 was rejected at pages 5-7 of the Office Action for allegedly lacking written description support. Specifically, the Office Action stated that the phrase “identifying the selected test agent as having potential cellular anti-proliferative activity” constituted new matter. While Applicants do not concede that this phrase lacks support in the application as filed, Applicants have canceled claim 26 and submit that this obviates the rejection thereof.

Applicants submit that the pending claims satisfy the requirements of 35 U.S.C., first paragraph, and request withdrawal of the rejection thereunder.

Applicant : Yoshihiro Sowa et al.
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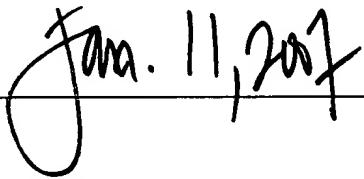
Conclusion

Applicants submit that all of the claims are in condition for allowance and request confirmation of such by the Examiner. If the Examiner feels it would advance the prosecution of the present application, she is invited to telephone the undersigned at (617) 956-5985.

No fees are believed to be due at this time. Please apply any charges or credits to deposit account 06-1050, referencing Attorney Docket No. 14875-085001.

Respectfully submitted,

Date:


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